

1  
2  
3 **DECISION AND ORDER**  
4 **OF THE**  
5 **BOARD OF PSYCHOLOGY**

6  
7 **DEPARTMENT OF CONSUMER AFFAIRS**

8  
9 The attached Stipulated Surrender of License in case number W283, is hereby adopted as  
10 the Decision and Order of the Board of Psychology, Department of Consumer Affairs. An  
11 effective date of April 27th, 2005 has been assigned to this Decision and  
12 Order.

13  
14 Made this 28th day of March, 2005.

15  
16  
17 Jacqueline Horn, Ph.D.  
18 Jacqueline Horn, Ph.D.  
19 President, Board of Psychology  
20 Department of Consumer Affairs  
21  
22  
23  
24  
25

Thompson, E.(respondent's name)

1 BILL LOCKYER, Attorney General  
of the State of California  
2 THOMAS S. LAZAR, State Bar No. 120621  
Deputy Attorney General  
3 California Department of Justice  
110 West "A" Street, Suite 1100  
4 San Diego, California 92101  
P.O. Box 85266  
5 San Diego, California 92186-5266  
Telephone: (619) 645-2117  
6 Facsimile: (619) 645-2061

7 Attorneys for Complainant

8  
9 **BEFORE THE**  
**BOARD OF PSYCHOLOGY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. W283

13 **ELIZABETH S. THOMPSON, PH.D.**  
P.O. Box 180015  
14 Coronado, CA 92178

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 Psychologist License No. PSY 16237,

16 Respondent.

17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
19 above-entitled proceeding that the following matters are true:

20 **PARTIES**

21 1. Complainant Thomas S. O'Connor is the Executive Officer of the Board  
22 of Psychology, Department of Consumer Affairs, State of California, and is represented in the  
23 above-entitled matter by Bill Lockyer, Attorney General of the State of California, by Thomas S.  
24 Lazar, Deputy Attorney General.

25 2. Respondent Elizabeth S. Thompson, Ph.D., being fully informed and  
26 aware of her right to retain an attorney to represent her at her own expense, has knowingly and  
27 intelligently elected to represent herself in the above-entitled matter.

28 ///

1                   3.     On March 24, 1999, the Board of Psychology ("Board") issued  
2 Psychologist License No. PSY 16237 to respondent Elizabeth S. Thompson, Ph.D. (hereinafter  
3 "respondent"). The Psychologist License is valid, was in full force and effect at all times relevant  
4 to the charges brought in Accusation No. W283, became inactive on April 14, 2004, and will  
5 expire on April 30, 2006, unless renewed.

6                                   **JURISDICTION**

7                   4.     On December 14, 2004, complainant Thomas S. O'Connor, in his official  
8 capacity as the Executive Officer of the Board, filed Accusation No. W283 against respondent  
9 which remains pending before the Board at this time. A true and correct copy of Accusation No.  
10 W283 is attached hereto as Attachment "A" and incorporated by reference as if fully set forth  
11 herein.

12                   5.     On December 14, 2004, respondent was served with a true and correct  
13 copy of Accusation No. W283, together with true and correct copies of all other statutorily  
14 required documents, at her address of record then on file with the Board: P.O. Box 180015,  
15 Coronado, CA 92178.

16                                   **ADVISEMENT AND WAIVERS**

17                   6.     Respondent has carefully read and fully understands the charges and  
18 allegations contained in Accusation No. W283, a true and correct copy of which is attached  
19 hereto as Attachment "A" and incorporated by reference as if fully set forth herein.

20                   7.     Respondent has carefully read and fully understands the contents, force,  
21 and effect of this Stipulated Surrender of License and Order.

22                   8.     Respondent is fully aware of her legal rights in this matter including her  
23 right to a hearing on the charges and allegations contained in Accusation No. W283, her right to  
24 be represented by counsel at her own expense, her right to present witnesses and evidence and to  
25 testify on her own behalf, her right to confront and cross-examine all witnesses testifying against  
26 her, her right to the issuance of subpoenas to compel the attendance of witnesses and the  
27 production of documents, her right to reconsideration and court review of an adverse decision,  
28 and all other rights accorded her pursuant to the California Administrative Procedure Act and all

1 other applicable laws. Respondent hereby knowingly, intelligently, freely and voluntarily waives  
2 and gives up each and every one of the rights set forth above.

### 3 CULPABILITY

4 9. Respondent hereby knowingly, intelligently, freely and voluntarily admits  
5 the complete truth and accuracy of each and every charge and allegation contained in the  
6 Accusation No. W283, a true and correct copy of which is attached hereto as Attachment "A" and  
7 incorporated by reference as if fully set forth herein, and agrees that she has thereby subjected her  
8 Psychologist License No. PSY 16237 to disciplinary action. Respondent further agrees to be  
9 bound by the Board's imposition of discipline as set forth in the Order below.

10 10. Respondent hereby surrenders her Psychologist License No. PSY 16237 to  
11 the Board of Psychology for its formal acceptance. Respondent understands that by signing this  
12 Stipulated Surrender of License and Order she is enabling the Board to issue an order accepting  
13 the surrender of her Psychologist License No. PSY 16237 without further notice or opportunity  
14 to be heard.

15 11. Respondent agrees that upon her signing of this Stipulated Surrender of  
16 License and Order, she will immediately cease practicing psychology pending the formal  
17 approval of this Stipulated Surrender of License and Order by the Board of Psychology.

### 18 CONTINGENCY

19 12. This Stipulated Surrender of License and Order shall be subject to  
20 approval of the Board. The parties agree that this Stipulated Surrender of License and Order  
21 shall be submitted to the Board for its consideration in the above-entitled matter and, further, that  
22 the Board shall have a reasonable period of time in which to consider and act on this stipulation  
23 after receiving it. By signing this stipulation, respondent fully understands and agrees  
24 that she may not withdraw her agreement or seek to rescind this stipulation prior to the time the  
25 Board considers and acts upon it.

26 13. The parties agree that this Stipulated Surrender of License and Order shall  
27 be null and void and not binding upon the parties unless approved and adopted by the Board,  
28 except for this paragraph, which shall remain in full force and effect. Respondent fully

1 understands and agrees that in deciding whether or not to approve and adopt this Stipulated  
2 Surrender of License and Order, the Board may receive oral and written communications from its  
3 staff and/or the Attorney General's office. Communications pursuant to this paragraph shall not  
4 disqualify the Board, any member thereof, and/or any other person from future participation in  
5 this or any other matter affecting or involving respondent. In the event that the Board, in its  
6 discretion, does not approve and adopt this Stipulated Surrender of License and Order, with the  
7 exception of this paragraph, it shall not become effective, shall be of no evidentiary value  
8 whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party  
9 hereto. Respondent further agrees that should the Board reject this Stipulated Surrender of  
10 License and Order for any reason, respondent will assert no claim that the Board, or any member  
11 thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated  
12 Surrender of License and Order or of any matter or matters related hereto.

#### 13 **ADDITIONAL PROVISIONS**

14 14. This Stipulated Surrender of License and Order is intended by the parties  
15 herein to be an integrated writing representing the complete, final and exclusive embodiment of  
16 the agreements of the parties in the above-entitled matter.

17 15. The parties agree that facsimile copies of this Stipulated Surrender of  
18 License and Order, including facsimile signatures of the parties, may be used in lieu  
19 of original documents and signatures and, further, that facsimile copies and signatures shall have  
20 the same force and effect as originals.

21 16. In consideration of the foregoing admissions and stipulations, the parties  
22 agree that the Board may, without further notice or opportunity to be heard, issue and enter the  
23 following Order:

#### 24 **ORDER**

25 IT IS HEREBY ORDERED that Psychologist License No. PSY 16237 heretofore  
26 issued to respondent Elizabeth S. Thompson, Ph.D., is surrendered and accepted by the Board of  
27 Psychology.

28 ///

1                   1.     The surrender of respondent's Psychologist License No. PSY 16237 and  
2 the acceptance of the surrendered license by the Board of Psychology shall constitute the  
3 imposition of discipline against respondent. This Stipulated Surrender of License and Order  
4 constitutes a record of the discipline and shall become a part of respondent's license history with  
5 the Board.

6                   2.     Respondent shall lose all rights and privileges as a psychologist in the  
7 State of California, and shall lose all rights and privileges to practice psychology in the State of  
8 California, as of the effective date of the Board's Decision and Order.

9                   3.     Respondent shall cause to be delivered to the Board both her license wall  
10 and pocket license certificates on or before the effective date of the Board's Decision and Order.

11                  4.     Respondent fully understands and agrees that if she ever files an  
12 application for licensure or a petition for reinstatement in the State of California, the Board shall  
13 treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations  
14 and procedures for reinstatement of a revoked license in effect at the time the petition is filed,  
15 and all of the charges and allegations contained in Accusation No. W283 shall be deemed to be  
16 true, correct, and fully admitted by respondent when the Board determines whether to grant or  
17 deny the petition.

18                  5.     Respondent may not petition for reinstatement of a revoked or surrendered  
19 license for three years from the effective date of this Decision and Order. If the Board grants  
20 future reinstatement, respondent agrees to reimburse the Board for its costs of investigation and  
21 enforcement of this matter in the amount of six thousand five hundred thirty four dollars  
22 (\$6,534.00) payable to the Board upon the effective date of such reinstatement Decision.

23                  6.     Should respondent ever apply or reapply for a new license or certification,  
24 or petition for reinstatement of a license, by any other health care licensing agency in the State of  
25 California, all of the charges and allegations contained in Accusation No. W283 shall be deemed  
26 to be true, correct, and fully admitted by respondent for the purpose of any Statement of Issues or  
27 any other proceeding seeking to deny or restrict licensure.

28     ///

1 ACCEPTANCE

2 I, Elizabeth S. Thompson, Ph.D., have carefully read and fully understand this  
3 Stipulated Surrender of License and Order and enter into it freely, voluntarily, intelligently, with  
4 full knowledge of its force and effect on my Psychologist License No. PSY 16237, and agree to  
5 be bound by the Decision and Order of the Board of Psychology.

6 DATED: 2/16/05.


7   
8 ELIZABETH S. THOMPSON, Ph.D.  
Respondent

9 ENDORSEMENT

10 The foregoing Stipulated Surrender of License and Order is hereby respectfully  
11 submitted for consideration by the Board of Psychology, Department of Consumer Affairs, State  
12 of California.

13 DATED: March 7, 2005.

14 BILL LOCKYER, Attorney General  
15 of the State of California

16  
17 By   
18 THOMAS S. LAZAR  
Deputy Attorney General

19 Attorneys for Complainant

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**Attachment "A"**  
**Accusation No. W283**



1 BILL LOCKYER, Attorney General  
of the State of California  
2 THOMAS S. LAZAR, State Bar No. 120621  
Deputy Attorney General  
3 California Department of Justice  
110 West "A" Street, Suite 1100  
4 San Diego, California 92101  
P.O. Box 85266  
5 San Diego, California 92186-5266  
Telephone: (619) 645-2117  
6 Facsimile: (619) 645-2061

7 Attorneys for Complainant

FILED  
STATE OF CALIFORNIA  
BOARD OF PSYCHOLOGY  
SACRAMENTO 14 20 04  
BY K. Burns ANALYST

8  
9 **BEFORE THE**  
**BOARD OF PSYCHOLOGY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **ELIZABETH S. THOMPSON, PH.D.**  
P.O. Box 180015  
14 Coronado, CA 92178

15 Psychologist License No. PSY 16237,

16 Respondent.

Case No. W283

**ACCUSATION**  
(Cal. Gov. Code, § 11503.)

17  
18 Complainant Thomas S. O'Connor, as causes for disciplinary action, alleges:

19 **PARTIES**

20 1. Complainant is the Executive Officer of the Board of Psychology,  
21 Department of Consumer Affairs, State of California, and makes and files this Accusation solely  
22 in his official capacity as such and not otherwise.

23 2. On or about March 24, 1999, the Board of Psychology issued Psychologist  
24 License No. PSY 16237 to respondent Elizabeth S. Thompson, Ph.D. (hereinafter "respondent").  
25 The Psychologist License is valid, became inactive on April 14, 2004, and will expire on April  
26 30, 2006, unless renewed.

27 ///

28 ///

## JURISDICTION

3. This Accusation is brought before the Board of Psychology (hereafter "Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2960 of the Code provides that:

"The board may refuse to issue any registration or license, or may issue a registration or license with terms and conditions, or may suspend or revoke the registration or license of any registrant or licensee if the applicant, registrant, or licensee has been guilty of unprofessional conduct. Unprofessional conduct shall include, but not be limited to:

"(a) Conviction of a crime substantially related to the qualifications, functions or duties of a psychologist or psychological assistant.

"(b) Use of any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to an extent or in a manner dangerous to himself or herself, any other person, or the public, or to an extent that this use impairs his or her ability to perform the work of a psychologist with safety to the public.

"(c) Fraudulently or neglectfully misrepresenting the type or status of license or registration actually held.

"(d) Impersonating another person holding a psychology license or allowing another person to use his or her license or registration.

"(e) Using fraud or deception in applying for a license or registration or in passing the examination provided for in this chapter.

"(f) Paying, or offering to pay, accepting, or soliciting any consideration, compensation, or remuneration, whether monetary or otherwise, for the referral of clients.

"(g) Violating Section 17500.

///

1           "(h) Willful, unauthorized communication of information received in  
2 professional confidence.

3           "(i) Violating any rule of professional conduct promulgated by the  
4 board and set forth in regulations duly adopted under this chapter.

5           "(j) Being grossly negligent in the practice of his or her profession.

6           "(k) Violating any of the provisions of this chapter or regulations duly  
7 adopted thereunder.

8           "(l) The aiding or abetting of any person to engage in the unlawful  
9 practice of psychology.

10          "(m) The suspension, revocation or imposition of probationary  
11 conditions by another state or country of a license or certificate to practice  
12 psychology or as a psychological assistant issued by that state or country to a  
13 person also holding a license or registration issued under this chapter if the act for  
14 which the disciplinary action was taken constitutes a violation of this section.

15          "(n) The commission of any dishonest, corrupt, or fraudulent act.

16          "(o) Any act of sexual abuse, or sexual relations with a patient or  
17 former patient within two years following termination of therapy, or sexual  
18 misconduct that is substantially related to the qualifications, functions or duties of  
19 a psychologist or psychological assistant or registered psychologist.

20          "(p) Functioning outside of his or her particular field or fields of  
21 competence as established by his or her education, training, and experience.

22          "(q) Willful failure to submit, on behalf of an applicant for licensure,  
23 verification of supervised experience to the board.

24          "(r) Repeated acts of negligence."

25 ///

26 ///

27 ///

28 ///

1                   5.       Section 125.3 of the Code provides, in pertinent part, that in any order  
2 issued in resolution of a disciplinary proceeding, a board may request that the administrative law  
3 judge direct a licensee found to have committed a violation or violations of the licensing act to  
4 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case,  
5 including charges imposed by the Attorney General. Under section 125.3, subdivision (c), a  
6 certified copy of the actual costs or a good faith estimate of costs where actual costs are not  
7 available, including investigative and enforcement costs, and charges imposed by the Attorney  
8 General, up to the date of the hearing, signed by the designated representative of the entity  
9 bringing the proceeding shall be *prima facie* evidence of the reasonable costs of investigation and  
10 prosecution of the case.

11                                   **FIRST CAUSE FOR DISCIPLINARY ACTION**

12   **(Gross Negligence)**

13                   6.       Respondent has subjected her Psychologist License No. PSY 16237 to  
14 disciplinary action under section 2960, subdivision (j), of the Code, as more particularly alleged  
15 hereinafter:

16                           (a)       Between on or about November 1998 and on or about March 2004,  
17 respondent was employed as a staff psychologist at Atascadero State Hospital  
18 (hereinafter "ASH"). She was assigned to work with sex offenders.

19                           (b)       During 2001, respondent was supervising an intern who needed a  
20 multi-cultural patient. Respondent selected J.R. to be that patient since he had  
21 made changes in his behavior and had embraced his substance abuse treatment.  
22 Initially, patient J.R. refused to participate, denying he had committed the sexual  
23 offenses for which he had been convicted.

24                           (c)       Patient J.R. finally joined respondent's group in 2002 after being  
25 re-committed to ASH on two occasions.

26                           (d)       In or about July of 2003, respondent became more involved in  
27 researching patient J.R.'s outpatient plan, going so far as to visit his Indian  
28 reservation in San Diego. In or about December 2003, respondent became aware

1 of her counter-transference with patient J.R. She was already aware of patient  
2 J.R.'s transference with her. Respondent explained her feelings to patient J.R. and  
3 said they had to limit their contact. Respondent also discussed her feelings with  
4 colleagues, telling them she could control her emotions. She began seeing a  
5 therapist to process these feelings and to discuss her failing marriage.

6 (e) Sometime in or about December 2003, patient J.R. gave  
7 respondent two gifts, a handmade beaded bracelet and a necklace that could hold a  
8 hospital ID card.

9 (f) Patient J.R. was housed in Riverside County Jail from about on or  
10 about December 12, 2003 to on or about March 24, 2004. During his stay there,  
11 respondent, without hospital authorization, visited patient J.R. on several  
12 occasions. She also deposited \$20.00 into patient J.R.'s jail account. When  
13 patient J.R. was returned to ASH from jail, respondent tried to have him placed in  
14 her unit.

15 (g) Respondent's last day of employment at ASH was on or about  
16 March 30, 2004. Respondent spoke with the district attorney assigned to patient  
17 J.R.'s case and told him that patient J.R. did not meet the criteria of a sexually  
18 violent predator. Respondent wrote a narrative to that effect on ASH letterhead  
19 without getting approval from the medical director. That same day, respondent  
20 learned the alleged victims of patient J.R.'s sexual assault had recanted their story.

21 (h) On or about April 14, 2004, respondent's Psychologist License No.  
22 PSY 16237 became inactive. Patient J.R. was released from ASH on or about  
23 April 19, 2004.

24 (i) After patient J.R.'s release from ASH, respondent picked him up in  
25 Santa Barbara and drove him to San Diego. Respondent also helped patient J.R.  
26 purchase the trailer he was going to live in on the Indian reservation. Respondent  
27 was also present when patient J.R. was registered by the Sexual Assault Felony  
28 enforcement Task Force.

1 (j) On or about June 14, 2004, respondent told Mark Becker, Ph.D.,  
2 Chief of Psychology at ASH, that she was romantically involved with patient J.R.

3 (k) Respondent committed gross negligence in her care and treatment  
4 of patient J.R. which included, but was not limited to, the following:

5 (1) Respondent allowed her personal problems and conflicts, including  
6 her counter-transference with patient J.R., to interfere with her work activities at  
7 ASH and thereby prevent her from performing those activities in a competent  
8 manner and, further, she failed to take adequate measures to address and remedy  
9 those personal problems and conflicts in a timely or effective fashion;

10 (2) Respondent failed to maintain proper boundaries with patient J.R.  
11 by engaging in a dual relationship with him which impaired her objectivity and  
12 effectiveness in performing her professional role as his therapist at ASH; and

13 (3) Respondent engaged in sexual activities with patient J.R. shortly  
14 after his release from ASH and her resignation from ASH where she had been his  
15 therapist.

16 **SECOND CAUSE FOR DISCIPLINARY ACTION**

17 **(Repeated Acts of Negligence)**

18 7. Respondent has further subjected her Psychologist License No. PSY  
19 16237 to disciplinary action under section 2960, subdivision (r), of the Code, as more particularly  
20 alleged hereinafter: Paragraph 6, above, is hereby incorporated by reference as if fully set forth  
21 herein.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **THIRD CAUSE FOR DISCIPLINARY ACTION**

2 **(Sexual Relations With a Patient or Former Patient)**

3 8. Respondent has further subjected her Psychologist License No. PSY  
4 16237 to disciplinary action under section 2960, subdivision (o), of the Code, as more  
5 particularly alleged hereinafter:

6 (a) Paragraph 6, above, is hereby incorporated by reference as if fully  
7 set forth herein.

8 (b) Respondent engaged in sexual relations with patient J.R. shortly  
9 after his release from ASH and her resignation from ASH where she had been his  
10 therapist.

11 **PRAYER**

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
13 alleged, and that following the hearing, the Board of Psychology issue a decision:

14 1. Revoking or suspending Psychologist License No. PSY 16237,  
15 issued to Elizabeth S. Thompson, Ph.D..

16 2. Ordering Elizabeth S. Thompson, Ph.D. to pay the Board of  
17 Psychology the reasonable costs of the investigation and enforcement of this case,  
18 and, if placed on probation, the costs of probation monitoring;

19 3. Taking such other and further action as deemed necessary and  
20 proper.

21 DATED: December 14, 2004

22 

23 THOMAS S. O'CONNOR  
24 Executive Officer  
25 Board of Psychology  
26 Department of Consumer Affairs  
27 State of California

28 Complainant

03598160SD2004801282